

## REMARKS

This amendment responds to the office action dated June 30, 2006.

The Examiner rejected claims 2-23 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Oosterhout et al., U.S. Patent No. 6,405,371 (hereinafter Oosterhout) and Yoshida et al., U.S. Patent No. 6,137,486 (hereinafter Yoshida). The examiner rejected claim 24 23 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Oosterhout, Yoshida, and Brown et al., U.S. Patent No. 6,286,141.

Independent claim 21, as amended, requires that the claimed user description scheme contain “electronically stored user preference data for a predetermined user, said user preference data indicative of expected content preferences for an identified said predetermined user.” The data of Oosterhout alleged by the Examiner to anticipate this limitation is stated by Oosterhout as initially comprising EPG data generically sent to each service subscriber. *See* col. 3, lines 18-38. Thus, the initial data stored in memory is not even “indicative of content preferences for [a] predetermined user, let alone indicative of the expected preferences of that user. Thus, to the extent that the Examiner was reading the claim language “user preference data broadly enough to read on data by which a user could select content according to a user’s instantaneous wishes, the amendment distinguishes over that reading. Furthermore, to the extent that the Examiner believes that the subsequent step, disclosed in Oosterhout, of a user selecting a category, for example, in the displayed EPG, to filter the available selections in accordance with the user’s instantaneous viewing preferences, constitutes stored “user preference data”, the amended limitation distinguishes over this reading by clarifying that the claimed stored user preference data indicate the “expected” content preferences of the user as opposed to received actual preferences. (An apt analogy would be to the distinction between weather and climate – climate is what you would anticipate getting and weather is what you actually do get. Whereas the system of Oosterhout allows an EPG to filter available program content in accordance with what a user, at that particular moment, wishes to view (weather), the present system stores *expected* preference data (climate) by which a user’s instantaneous preferences may be anticipated. Oosterhout does not disclose this feature, as claimed in the amended limitation of “said user preference data indicative of expected content preferences for an identified said predetermined user.”

Finally, the cited combination fails to disclose a motive for including “at least one descriptor *for identification* of said predetermined user” so as to indicate expected content preferences for a user identified using the descriptor. To the contrary, the parental lockout feature of Yoshida is intended to block content that a minor would prefer to see; hence the identification of a user by a password control is not indicative of the “expected content preferences for an identified said predetermined user.”

In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 2-24.

Respectfully submitted,

  
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